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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/822,073

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Kazushige Morita

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C. IRVIN MCCLELLAND
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

LEE, WILSON

ART UNIT

PAPER NUMBER

2163

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,073

Applicant(s)

MORITA, KAZUSHIGE

Examiner

Wilson Lee

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recording medium, file system processing module, a physical storage location of a file, the data base processing module of claims 1, 7 and 8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections – 35 U.S.C. 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 2163

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

In Claim 1, line 5, "a physical storage location of a file" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is. Lines 7,9, 11, "content management information" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is.

In Claim 3, lines 6-7, "on a file not stated in the file search information from a file system being current mounted", line 8, "have the current file system processing module demount the current file system", line 9, "generate a new file system on the basis of the read file search information and attribute information and amount the new file system" are not taught and supported in the specification.

In Claim 4, line 3, "a physical storage location of a file" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is. Lines 5, 8, 15, 16, "content management information" is not defined in the specification. Although it is

mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is.

In Claim 6, lines 6-7, "on a file not stated in the file search information from a file system being current mounted", line 8, "have the current file system processing module demount the current file system", line 9, "generate a new file system on the basis of the read file search information and attribute information and amount the new file system" are not taught and supported in the specification.

In Claim 7, line 5, "a physical storage location of a file" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is. Lines 6-7, 9, 11, "content management information" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is.

In Claim 8, line 3, "a physical storage location of a file" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is. Lines 5, 8, 14, 15, "content management information" is not defined in the specification. Although it is mentioned in the Summary of the Invention, it is not defined in great detail to enable one skilled in the art to understand what it is.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 5, 6, "reference" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation. Line 5, "information" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation.

In claim 4, lines 3, 5, "reference" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation. Line 3, "information" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation.

In claim 7, lines 4, 6, "reference" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation. Line 5, "information" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation.

In claim 8, lines 3, 5, "reference" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation. Line 3, "information" is vague and lacks antecedent basis. It is not clearly understood what it is but being examined based on best interpretation.

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2163

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Kikuchi et al. (US publication 2002/0168179).

Regarding Claim 1, Kikuchi discloses a recording/playback device that records and reproduces data to and from a recording medium, the device comprising:

- a system controlling means (604) for controlling access to the recording medium (100) by a file system processing module (609) that reads and writes data from and to the recording medium with reference (header or index) to a file system (file management information) (See Figure 17) which is information including a physical storage location of a file (See paragraphs 0028, 0072-0075), and
- a data base processing module (610) that accesses the file system processing module (609) with reference to content management information for management of contents stored in the recording medium,
- the recording medium (100) (See Figure 1) having recorded therein file search information indicating physical recorded position of a file (See Figure 17) having the content management information (management information) (See Figure 17) stored therein; and

- the data base processing module (610) (See Figure 1) registering attribute information on a file (file on the disc 100) (See Figures 1 and 17) including at least the content management information (management information) into the file system with reference to the file search information (recorded position on the volume space) (See Figure 17).

Regarding Claim 2, Kikuchi discloses that when the file system processing module has failed in mounting a file system (file management information) (See Figure 17) stored in a predetermined position in the recording medium, the data base processing module registers attribute information (no recording space) (See Figure 9) on a file including at least the content management information into the file system with reference to the file search information.

Regarding Claim 3, Kikuchi discloses that the data base processing module operates to:

- have the file system processing module (609) mount a file system stored in a predetermined position (See Figure 17) in the recording medium (100);
- generate a new file system on the basis of the read file search information and attribute information and mount the new file system (See paragraph 0072).

Regarding Claim 4, Kikuchi discloses (See Figures 1 and 9, paragraphs 0028, 0072-0075) a recording medium access method of controlling access to a recording medium (100) by a file system processing module (609) that reads and writes data from and to the recording medium with reference to a file system which is information

including a physical storage location of a file (See Figure 17), and a data base processing module (610) that accesses the file system processing module with reference to content management information (management information) for management of the contents stored in the recording medium, the method comprising:

- a step in which the data base processing module issues, to the file system processing module (609), commands for reading and writing a file according to the content management information (through means 604, 609, 610);
- a step in which the file system processing module (609) reads and writes data from and to the recording medium (100) with reference to the file system according to the commands from the data base processing module (610);
and
- a step in which when mounting a file system, the data base processing module (610) reads, from the recording medium (100), file search information (recorded position on the volume space) indicating a physical recorded position of a file having the content management information (management information) stored therein (See Figure 17), and registers attribute information on a file including at least the content management information into the read file system with reference to the read file search information (through MPU 604).

Regarding Claim 5, Kikuchi discloses that when the file system processing module has failed in mounting a file system (file management information) (See Figure 17) stored in a predetermined position in the recording medium (100), the data base

processing module registers attribute information (no recording space) (See Figure 9) on a file including at least the content management information into the file system with reference to the file search information.

Regarding Claim 6, Kikuchi discloses that the data base processing module operates to:

- have the file system processing module (609) mount a file system stored in a predetermined position in the recording medium (100) (See Figure 17);
- generate a new file system on the basis of the read file search information and attribute information and mount the new file system (See paragraph 0072).

Regarding Claim 7, Kikuchi discloses a recording/playback device that records and reproduces data to and from a recording medium (100), the device comprising:

- a system controller (604) for controlling access to the recording medium (100) by a file system processing module (609) that reads and writes data from and to the recording medium (100) with reference to a file system which is information including a physical storage location of a file, and a data base processing module that accesses the file system processing module (609) with reference to content management information for management of contents stored in the recording medium (100) (See Figure 1 and paragraphs 0028, 0072-0075),

- the recording medium (100) having recorded therein file search information indicating physical recorded position of a file having the content management information stored therein (See Figures 9, 17); and
- the data base processing module (610) registering attribute information on a file including at least the content management information into the file system with reference to the file search information (recorded position on the volume space) (See Figures 9, 17).

Regarding Claim 8, Kikuchi discloses a recording medium access method of controlling access to a recording medium (100) by a file system processing module (609) that reads and writes data from and to the recording medium (100) with reference to a file system (See Figure 17) which is information including a physical storage location of a file, and a data base processing module (610) that accesses the file system processing module with reference to content management information for management of the contents stored in the recording medium, the method comprising the steps of:

- the data base processing module (610) issuing to the file system processing module, commands for reading and writing a file according to the content management information (See paragraphs 0028, 0072-0075);
- the file system processing module (609) reading and writing data from and to the recording medium (100) with reference to the file system according to the commands from the data base processing module (See paragraphs 0028, 0072-0075); and

- the data base processing module (610) reading from the recording medium, when mounting a file system, file search information (recorded position on the volume space) (See Figures 9, 17) indicating a physical recorded position of a file having the content management information stored therein, and registering attribute information on a file including at least the content management information into the read file system with reference to the read file search information (See paragraphs 0028, 0072-0075).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsukagoshi (US 2003/0095600) discloses a decoder and decoding method for information signal. Barton et al. (US 2003/0026589) discloses a smart card digital video recorder system. Andoh (US 2003/0002194) discloses a record and playback apparatus and the method. Ando et al. (6,556,770) discloses an information storage medium and information recording/playback system.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to the application may be submitted by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Wilson Lee", is written over a horizontal line.

Wilson Lee
Primary Examiner
U.S. Patent & Trademark Office

9/28/06